

REMARKS

Claims 1-11 are pending in this application after this Amendment. Claims 1, 6, and 11 are independent. In light of the amendments and remarks made herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 2 and 7 under 35 U.S.C. § 112, second paragraph; rejected claims 6-8 and 11 under 35 U.S.C. § 102(b) as being anticipated by Saito (JP 04-175049); rejected claims 1-5 under 35 U.S.C. § 103(a) as being unpatentable over Yamada (USP 6,411,931) in view of Saito; and rejected claims 9 and 10 under 35 U.S.C. § 103(a) as being unpatentable over Saito. Applicant respectfully traverses these rejections.

By this Amendment, Applicant has amended the claims to more appropriately recite the present invention. It is respectfully submitted that these amendments are being made without conceding the propriety of the Examiner's rejection, but merely to timely advance prosecution of the present application.

Claim Rejections - 35 U.S.C. § 112

With regard to the Examiner's rejection of claims 2 and 7 under 35 U.S.C. § 112, second paragraph, by this Amendment, Applicant has amended these claims to remove the phrase "and so on". Based upon this amendment, it is respectfully requested that the outstanding rejection be withdrawn.

Claim Rejections - 35 U.S.C. § 102

With regard to the Examiner's rejection of claim 6, the Examiner asserts that *Saito* anticipates the present invention. Applicant respectfully disagrees with the Examiner's assertions.

The present invention as set forth in claim 6 recites, *inter alia*, an electronic mail device comprising an inserting function for inserting character setting information, which specify a character at the time of vocally reproducing mail text, as a text letter string in the mail text and detailed character setting information; and a reading out function for connecting with a server sharing the character setting information as shared data, referring to the character setting information corresponding to the text letter string inserted in the mail text and detailed character setting information located separate from the character setting information in the e-mail, and reading out the electronic mail in the character voice synthesized in the voice synthesis control portion based on the referred character setting information, and detailed character setting information.

It is respectfully submitted that *Saito* fails to anticipate the invention as set forth in claim 6, as amended.

The disclosure of *Saito* is directed to an audio response unit wherein a voice rule synthesis for generating a voice from optional characters at a prescribed rule is implemented. Specifically, an audio response unit is capable of identifying, from a predetermined

character code inserted into the text of an e-mail, a male or female voice and a talking rate. Page 5, lines 10-18, provides for the user to insert character code strings, namely, #f, #2, #m, #3, into the e-mail text. By inserting these character code strings into the e-mail text, the user listening to the e-mail can hear the e-mail read aloud with the specified male or female voice and a particular talking rate. However, there is no teaching or suggestion in *Saito* that is directed to a reading out function for connecting with a server sharing the character setting information as shared data, referring to the character setting information corresponding to the text letter string inserted in the mail text and detailed character setting information located separate from the character setting information in the e-mail as set forth in claim 6. As *Saito* fails to teach or suggest all of the claim elements, it is respectfully submitted that claim 6, as amended, is not anticipated by *Saito*.

It is respectfully submitted that claims 7-10 are allowable for the reasons set forth above with regard to claim 6 at least based upon their dependency on claim 6. It is further respectfully submitted that claim 11 contains elements similar to those discussed above with regard to claim 6, and thus claim 11 is not anticipated by *Saito* for the reasons set forth above with regard to claim 6.

Claim Rejections - 35 U.S.C. § 103

With regard to the Examiner's rejection of claim 1 under 35 U.S.C. § 103(a) as being unpatentable over *Yamada* in view of *Saito*, the Examiner asserts that *Yamada* discloses all of the claim elements except for character setting information included as a letter string within the mail text and text synthesis in a specified character's voice based on the character string information. The Examiner relies on the teachings of *Saito* to cure the deficiencies of the teachings of *Yamada*. Applicant respectfully disagrees with the Examiner's characterization of these references.

By this Amendment, Applicant has amended claim 1 to recite, *inter alia*, an electronic mail device wherein the mail device in a mode of vocally reproducing a received electronic mail text recognizes character setting information inserted as a text letter string in the mail text, refers to the character setting information and the detailed character setting information and vocally reproduces the mail text by a specified character's voice synthesized based on the character setting information and the detailed character setting information by the voice synthesis control unit, and wherein the character setting information and the detailed character setting information are not appended to each other.

As discussed above with regard to claim 6, *Saito* fails to teach or suggest detailed character setting information located

separate from the character setting information in the e-mail. As such, it is respectfully submitted that *Saito* fails to cure the deficiencies of the teachings of *Yamada* by failing to teach or suggest wherein the character setting information and the detailed character setting information are not appended to each other. Thus, as neither of the references, either alone or in combination, assuming these references are combinable, teach or suggest all of the claim elements, it is respectfully submitted that claim 1 is not obvious over *Yamada* in view of *Saito*. As such, it is respectfully requested that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-5 are allowable for the reasons set forth above with regard to claim 1 at least based upon their dependency on claim 1.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M. Voisinnet (Reg. No. 52,327) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees

required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
Charles Gorenstein, #29,271

CG/CMV/jdm
1907-0198P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000